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## FISCAL IMPACT REPORT

SPONSOR Komadina DATE TYPED 1/24/05 HB \_\_\_\_\_

SHORT TITLE Native American Behavioral Health Committee SB 157

ANALYST Hanika-Ortiz

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	NFI				

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Health (DOH)

Human Services Department (HSD)

Public Education Department (PED)

### SUMMARY

#### Synopsis of Bill

SB 157 proposes to amend Section 24-1-28, NMSA 1978 (2004), passed by the Legislature as HB 271 in 2004 and signed by the Governor, which created the statewide Behavioral Health Planning Council (BHPC). SB 157 proposes to legislatively mandate a Native American Subcommittee in addition to the four other mandated subcommittees: Medicaid, Adult, Children, and Substance Abuse of the BHPC, which serves as the primary advisory body to the BHPC.

#### Significant Issues

SB 157 clarifies the Native American representation on the BHPC. The first amendment on page 2 is to correct a clerical error and renumber the membership of the BHPC to include Native American representation in general and not to restrict it under one category (consumers). As it is written, their role is restricted to consumers (Native Americans can also be providers).

The second amendment on page 4 is to make the current Native American Subcommittee a statutory standing subcommittee of the BHPC chaired by the Indian Affairs Division (IAD).

## **PERFORMANCE IMPLICATIONS**

The PED believes SB 157 positively impacts the PED's ability to work with Native American youths in addressing behavioral health issues that may serve as barriers to student success.

## **FISCAL IMPLICATIONS**

The DOH report they receive approximately \$2.4 million block grant dollars from the Center of Mental Health Services that requires compliance to Public Law 102-321. They further claim that SB 157 would bring the BHPC into compliance with Public Law 102.321.

## **ADMINISTRATIVE IMPLICATIONS**

Under the current BHPC Native Americans are represented as a sub-category under consumers of behavioral health services rather than a separate category. The HSD reports the IAD has agreed to chair this subcommittee and HSC and DOH to support as necessary.

The Public Education Department report that support for this bill comes from state agencies, the BHPC, the Native American Subcommittee of the BHPC, tribal members, pueblos and Native American legislators.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Relates to HB 271(2004).

## **TECHNICAL ISSUES**

SB 157 proposed amendments provide clarification as to the original intent of HB 271(2004).

## **OTHER SUBSTANTIVE ISSUES**

According to state agencies submitting responses, many Native Americans have indicated support for the subcommittee to become statutory.

## **ALTERNATIVES**

None

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?**

The HSD reports that because the BHPC is not clearly defined, Native Americans may be under-represented in the state's behavioral health planning, implementation and oversight initiatives.

ANA/rs